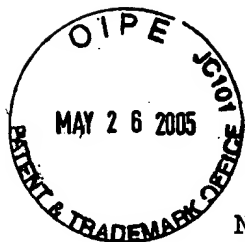


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PATENTS
UV-48

NOTICE OF APPEAL FROM THE PRIMARY EXAMINER TO
THE BOARD OF PATENT APPEALS AND INTERFERENCES

In re : Michael D. Ellis
application of

Application No. : 09/262,870 Confirmation No. : 1124

Filed : March 4, 1999

For : PROGRAM GUIDE SYSTEM WITH
VIDEO-ON-DEMAND BROWSING

Group Art Unit : 2611

Examiner : Hunter B. Lonsberry

Mail Stop AF
Hon. Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

NOTICE OF APPEAL

Sir:

Applicant hereby appeals to the Board of Appeals
from the decision of the Primary Examiner mailed
January 26, 2005 in which the rejection of claims 1-26,
50-74, 98-122 and 146-157 was made final.

[] Applicant respectfully requests an oral hearing
before the Board of Appeals. The appropriate fee is
submitted herewith.

06/01/2005 AWONDAF1 00000125 061075 09262870

01 FC:1401 500.00 DA
02 FC:1251 120.00 DA

[X] Address all correspondence to:

Adam M. Saltzman
Fish & Neave IP Group
Ropes & Gray LLP
1251 Avenue of the Americas
New York, New York 10020-1105
Tel.: (212) 596-9000

[] A check in the amount of [] \$330.00 [] \$660.00 in payment of the [] appeal fee, [] appeal and oral hearing fees, is enclosed.

[X] Please charge [X] \$330.00 [] \$660.00 in payment of the [X] appeal fee, [] appeal and oral hearing fees, to Deposit Account No. 06-1075, Order No. 003597-0048.

[X] The Director is hereby authorized to charge payment of any additional appeal fee, oral hearing fee, or both, or credit any overpayment of same, to Deposit Account No. 06-1075. A duplicate copy of this Notice of Appeal form is enclosed.

EXTENSION FEE

[X] The following extension is applicable to the Notice of Appeal filed herewith; [X] \$120.00 extension fee for response within first month pursuant to 37 C.F.R. § 1.136(a); [] \$450.00 extension fee for response within second month pursuant to 37 C.F.R. § 1.136(a); [] \$1,020.00 extension fee for response within third month pursuant to 37 C.F.R. § 1.136(a); [] \$1,590.00 extension fee for response within fourth month pursuant to 37 C.F.R. § 1.136(a); [] \$2,160.00 within fifth month pursuant to 37 C.F.R. § 1.136(a).

[X] Pursuant to 37 C.F.R. § 1.136(a), applicant hereby petitions for a [X] one-month extension of time; [] two-month extension of time; [] three-month extension of time; [] four-month extension of time; [] five-month extension of time to file a Notice of Appeal to the Office Action dated January 26, 2005. With the extension, the time for filing a Notice of Appeal is extended up to and including May 26, 2005.

☐ A check in the amount of ☐ \$120.00; ☐ \$450.00;
☐ \$1,020.00; ☐ \$1,590.00; ☐ \$2,160.00 in
payment of the extension fee is transmitted
herewith.

☒ Please charge the ☒ \$120.00; ☐ \$450.00;
☐ \$1,020.00; ☐ \$1,590.00; ☐ \$2,160.00
extension fee to Deposit Account No. 06-1075,
Order No. 003597-0048. A duplicate copy of this
transmittal letter is transmitted herewith.

☒ The Director is hereby authorized to charge
payment of any additional fees required under
37 C.F.R. § 1.17 in connection with the paper(s)
transmitted herewith, or to credit any overpayment
of same, to Deposit Account No. 06-1075, Order No.
003597-0048. A duplicate copy of this transmittal
letter is transmitted herewith.

Respectfully submitted,



Adam M. Saltzman
Agent for Applicant
Registration No. 52,188
Fish & Neave IP Group
Ropes & Gray LLP
Customer No. 1473
1251 Avenue of the Americas
New York, New York 10020-1105
Tel.: (212) 596-9000
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PATENTS
UV-48

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P.O. Box 1450
Alexandria, Virginia 22313-1450

EXPRESS MAIL CERTIFICATION

Express Mail Label No. EV132196955US

Date of Deposit: May 26, 2005

I hereby certify that this certification and the
following paper:

1. Notice of Appeal (in duplicate)

are being deposited with the United States Postal Service
"Express Mail Post Office to Addressee" service under 37 C.F.R.
§ 1.10 on the date indicated above and are addressed to Mail
Stop AF, Hon. Commissioner for Patents, P.O. Box 1450,
Alexandria, VA 22313-1450.

Name: Drene Keselman